

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES W SCHUBERT,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON, et  
al.,

Defendants.

Case No. 17-cv-00856-KAW

**ORDER TO SHOW CAUSE**

Re: Dkt. No. 63

On July 17, 2019, the Court discharged an order to show cause and set a deadline for Plaintiff to file an amended complaint. (Dkt. No. 63.) In that order, the Court also required Attorney Daniel Alan Grout to serve the order on Plaintiff, explaining that Attorney Grout was still Plaintiff's counsel of record. (*Id.* at 2.) Attorney Grout has never moved to withdraw, and while Plaintiff filed a substitution of counsel, the substitution of counsel was not signed by Attorney Grout. Instead, it was signed by James W. Haworth, who has never appeared before this Court. (Dkt. No. 62.) The Court required Attorney Grout to file a proof of service within four days of the date of this order, and stated that "Attorney Grout must continue to serve all court filings on Plaintiff until he is relieved of his obligations as counsel of record." (Dkt. No. 63 at 2.)

As of the date of this order, Attorney Grout has not filed a proof of service. Accordingly, the Court **ORDERS** Attorney Grout to show cause why he should not be sanctioned by: (1) filing the proof of service by **August 5, 2019**, and (2) explaining why he failed to comply with the Court's order. Failure to comply may result in the Court imposing sanctions. In light of the failure to serve, Plaintiff's deadline to file an amended complaint shall be thirty days from the date of service of the Court's July 17, 2019 order.


Attorney Grout shall also serve this order on Plaintiff, and file a proof of service by August

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5, 2019.

IT IS SO ORDERED.

Dated: July 31, 2019

  
KANDIS A. WESTMORE  
United States Magistrate Judge